

1 HEATHER E. WILLIAMS, CA Bar #122664
Federal Defender
2 LAURA MYERS, IL Bar #6338417
Assistant Federal Defender
3 Office of the Federal Defender
2300 Tulare Street, Suite 330
4 Fresno, CA 93721-2226
Telephone: (559) 487-5561
5 Fax: (559) 487-5950

6 Attorneys for Defendant
JIMMY L. NEWMAN
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JIMMY L. NEWMAN,

15 Defendant.
16

Case No. 5:23-cr-00002-JLT-CDB

STIPULATION TO CONTINUE SENTENCING
HEARING; ~~PROPOSED~~ ORDER

17 IT IS HEREBY STIPULATED, by and between the parties through their respective
18 counsel, Assistant United States Attorney Chan Hee Chu, counsel for plaintiff, and Assistant
19 Federal Defender Laura Myers, counsel for Jimmy Newman., that the resentencing hearing
20 scheduled for November 5, 2024, may be continued to December 3, 2024, at 10:00 a.m.

21 This Court set this matter for resentencing on November 5, 2024, following the district
22 court's order reversing and remanding the case. *See* ECF #31. The parties request a one-month
23 continuance to ensure sufficient time to prepare for resentencing.¹ Counsel for Mr. Newman and
24 counsel for the government both have several other matters to prepare for in the 2.5 weeks
25 leading up to November 5. Notably, both counsel are preparing for an evidentiary hearing to be
26

27
28 ¹ In light of the district court's order, defense counsel is in the process of obtaining detailed
criminal records as well as updated medical records. Preparation for resentencing will involve
review of these records, additional conferral between the parties, and a determination of what, if
any, additional facts to provide in advance of the hearing.

1 heard by this Court on November 5. In addition, counsel for Mr. Newman has a sentencing
2 hearing before the district court on Monday, October 21, and is on duty October 21-25.

3 In light of the foregoing, the parties submit that a one-month continuance is in the interest
4 of justice and reflects the best use of the Court's resources.

5
6 Respectfully submitted,

7 HEATHER E. WILLIAMS
8 Federal Defender

9 Date: October 17, 2024

/s/ Laura Myers

10 LAURA MYERS
11 Assistant Federal Defender
12 Attorney for Defendant
13 JIMMY L. NEWMAN

14 PHILLIP A. TALBERT
15 United States Attorney

16 Date: October 17, 2024


/s/ Chan Hee Chu

17 CHAN HEE CHU
18 Assistant United States Attorney
19 Attorney for Plaintiff

20 **ORDER**

21 **IT IS SO ORDERED.** The resentencing hearing currently set for November 5, 2024, is
22 hereby continued to December 3, 2024, at 10:00 a.m.

23
24 Date: October 18, 2024



25 Hon. Christopher D. Baker
26 United States Magistrate Judge
27
28